

REMARKS

Applicants have carefully considered the Office Communication dated October 7, 2010 and provide the following response thereto. Applicants present this amendment in a sincere effort to place the application in consideration for allowance. Accordingly, reconsideration is respectfully requested.

In this amendment Claim 1 is amended and no new claims have been added. Claims 1, 3-9, 11-13, and 30-33 are currently pending. No new matter has been added.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

In the Office action, Claims 1, 3-5, 7-9, 11-12, and 30-32 were rejected under 35 U.S.C. 102(e) as being anticipated by Amin et al. (US 7,266,371). Applicant respectfully traverses in part and amends in part.

Applicant has amended independent Claim 1 to further clarify the invention. Independent Claim 1, as amended, recites in part, “*automatically* downloading first configuration data and second configuration data, respectively, from the at least one server, said first and second configuration data defining first and second end user specific operational characteristics of the first and second mobile devices, respectively, the first configuration data and the second configuration data being generally different.” Independent Claim 9 describes similar features. Support for these claim amendments can be found throughout the originally-filed specification, for example, in paragraphs [0041]-[0043].

Amin teaches a system for activating mobile devices over-the-air using a wireless packet data protocol. A SIM card is preloaded with temporary operating parameters for initial access to a network. Once a link to the network is established, the user may remotely subscribe to a number of service terms using the mobile device. (See Amin, Abstract). This user initiated configuration is precisely what the current invention seeks to avoid. For example, Claim 1 recites, in part, “maintaining on at least one server coupled to a network configuration data for a plurality of mobile devices.” The configuration data includes specific operational characteristics that correspond to an identification of each mobile device.

Upon connecting to the network, Amin requires an end user to select various applications and services from a database. In contrast, the present invention *automatically*

downloads device specific configuration data from the server to each device, thereby automatically configuring each device individually without user intervention. Therefore, Amin fails to teach “*automatically* downloading first configuration data and second configuration data, respectively, from the at least one server...” as recited in independent Claim 1, as amended.

With regard to Claim 9, Applicants respectfully submit that the foregoing remarks regarding Claim 1 apply equally to independent Claim 9. Applicants therefore submit that Claim 9 is not anticipated by Amin, and therefore the rejection of Claim 9 under 35 USC 102(e) should be withdrawn.

Since Claims 3-8 and 30-32 depend from and include all the limitations of independent Claim 1, they are also allowable. Additionally, since Claims 11-13 and 33 depend from and include all the limitations of independent Claim 9, they are also allowable. Further, Applicants submit that Claims 3-8, 11-13 and 30-33 define additional patentable subject matter in their own right. Therefore, it is respectfully requested that the rejection of Claims 1, 3-5, 7-9, 11-12, and 30-33 under 35 U.S.C. 102(e) be reconsidered and withdrawn for at least these reasons.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

In the Office action, Claims 6 and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Amin in view of Rankin US 2003/0207685. Applicants respectfully traverse in part and amend in part.

Applicants incorporate herein as if fully set forth remarks made above concerning independent claims 1 and 9 and submit that Rankin fails to teach an “*automatically* downloading first configuration data and second configuration data, respectively, from the at least one server...” for automatically configuring a device as recited by independent Claims 1 and 9, as amended.

Rankin describes a system for sharing information among a plurality of users and a server. (See, Rankin, paragraphs [0001]-[0002]). There is no teaching or suggestion in Rankin of automatically configuring a device as recited in the independent claims.

Applicants submit that neither Amin nor Rankin, either alone or in combination, teach or suggest the claimed features of independent Claims 1 and 9 as amended. Claims 6 and 13

depend from, and include all the limitations of independent Claims 1 and 9, respectively. Therefore, dependent Claims 6 and 13 are allowable as depending from allowable base claims. Thus, Applicants respectfully request reconsideration of dependent Claims 6 and 13 and request the withdrawal of the rejection under 35 U.S.C. 103(a).

CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 502117. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R. § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number provided below to discuss any outstanding issues relating to the allowability of the application.

Respectfully submitted,

Please send correspondence to: Motorola Solutions, Inc., Law Department 1303 East Algonquin Rd., IL01-3 rd Floor Schaumburg, IL 60196 Customer Number: 22917	<table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">By: <u>/michael j. giannetta/</u></td> <td style="width: 40%; text-align: right;">2011/03/08</td> </tr> <tr> <td>Michael Giannetta</td> <td style="text-align: right;">Date</td> </tr> <tr> <td>Attorney for Applicants</td> <td></td> </tr> <tr> <td>Registration No. 42,574</td> <td></td> </tr> <tr> <td>Tel. No. (631) 738-5091</td> <td></td> </tr> <tr> <td>Fax No. (847) 576-3750</td> <td></td> </tr> <tr> <td>Email: USAdocketing@motorolasolutions.com</td> <td></td> </tr> </table>	By: <u>/michael j. giannetta/</u>	2011/03/08	Michael Giannetta	Date	Attorney for Applicants		Registration No. 42,574		Tel. No. (631) 738-5091		Fax No. (847) 576-3750		Email: USAdocketing@motorolasolutions.com	
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